

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE**

IN RE:

**Michael David Williams and
Dawn Renee Williams**

Debtors.

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**Case No.: 3:14-bk-30485-SHB
Chapter 7**

**U.S. TRUSTEE'S EX PARTE MOTION TO REOPEN CASE, FOR AUTHORITY
TO APPOINT TRUSTEE, AND REQUEST FOR DEFERMENT OF REOPENING FEE**

Comes now, the Acting U.S. Trustee, Paul A. Randolph, as a party in interest, by and through his undersigned attorney, and moves the Court pursuant to 11 U.S.C. § 350(b) and Local Rules 5010-1, and 9013-1(g)(1)(xvii) to reopen the Debtors' case in order to administer assets. The U.S. Trustee also request pursuant to Rule 5010 of the Federal Rules of Bankruptcy Procedure for authority to appoint a trustee in this case once it is reopened in order to protect the interests of creditors and to ensure efficient administration of the case. Finally, the U.S. Trustee requests pursuant to 11 U.S.C. § 105(a) and Local Rule 5010-1 that the Court defer payment of the reopening fee, which will be paid by the case trustee as an administrative expense out of the estate assets, if any such assets are recovered, prior to the closing of the case. In support of this Motion, the U.S. Trustee states as follows:

1. The Debtors filed a voluntary petition under Chapter 7 on February 21, 2014.
2. The Chapter 7 meeting of creditors was held on March 25, 2014.
3. The Debtors received a discharge on June 6, 2014.
4. The case was closed by the Clerk of Court on August 18, 2014.

5. On January 9, 2019, counsel for the U.S. Trustee was notified about the existence of additional assets that are likely property of the bankruptcy estate and should be administered for the benefit of creditors.

WHEREFORE, the U. S. Trustee respectfully requests the Court enter an Order: (i) reopening Case No.: 3:14-bk-30485-SHB; (ii) authorizing the appointment of a trustee in the reopened case; (iii) deferring the payment of the reopening fee until such time as assets are recovered, if any, and if no such assets are recovered waiving the reopening fee; and (iv) for such other relief as the Court deems appropriate.

PAUL A. RANDOLPH
Acting United States Trustee, Region 8

/s/ Tiffany A. DiIorio
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CERTIFICATE OF SERVICE

I hereby certify that on January 31, 2019, a true and correct copy of the foregoing *U.S. Trustee's Ex Parte Motion to Reopen Case, for Authority to Appoint Trustee, and Request for Deferment of Reopening Fee, Proposed Order, and Certificate of Service* was electronically filed in the Court's Electronic Case Filing System and will be served by operation of the Court's electronic filing system on the following:

- William L. Cooper wlcooper@nxs.net
- John Tyler Roper tylerroperlawparalegal@gmail.com
- Brent S. Snyder brentsnyder77@gmail.com
- W. Grey Steed tn37@ecfcbis.com

and via U.S. Mail, postage prepaid to:

Michael and Dawn Williams
5405 Central Ave Pike
Knoxville, TN 37912
Debtors

/s/ Tiffany A. DiIorio
Tiffany A. DiIorio